

FEDERAL COURT

B E T W E E N:

**JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS,
and HAROLD RISTAU**

Applicants

and

**GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA,
ATTORNEY GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY
AND EMERGENCY PREPAREDNESS**

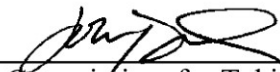
Respondents

AFFIDAVIT OF REBECCA COLEMAN

I, REBECCA COLEMAN, Paralegal with the National Litigation Sector, Department of Justice, AFFIRM THAT:

1. The answers set out in **Exhibit A** to this affidavit, in response to the written questions dated May 19, 2022 submitted by the Applicants are true, to the best of my information, knowledge and belief.

AFFIRMED before me through video-conferencing from the City of Toronto to the City of Oshawa in the Province of Ontario on June 20, 2022

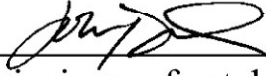


Commission for Taking Affidavits



Rebecca Coleman

This is Exhibit “ A ” mentioned to
and referred to in the affidavit of
Rebecca Coleman
Affirmed before me this 20th day of
June, 2022.



A Commissioner for taking affidavits

EXHIBIT A

ANSWERS TO WRITTEN EXAMINATION OF REBECCA COLEMAN

1. I previously affirmed an affidavit on April 4, 2022 in this matter. This exhibit contains my answers to the written examination, which was served on counsel for the Respondents on May 19, 2022. Below is the chart setting out each question and the answer to that question or noting where an objection to the question has been made by counsel for the Respondents. Attached hereto as Annex 1 to Exhibit “A” is a chart prepared by counsel for the Respondents setting out those objections and refusals maintained by counsel for the Respondents and the basis for same.

No.	QUESTION	RESPONSE
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	Subject to counsel’s objection as outlined in Annex 1 my answer is: This statement is correct.
2.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue the Order-in-Council: Order directing Special Temporary Measures for Public Order Emergency, P.C. 2022-0106?	This statement is correct.
3.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue the Order-in-Council: Order directing Special Temporary Measures for Public Order Emergency, P.C. 2022-0106?	This statement is correct.
4.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue Order in Council:	This statement is correct.

No.	QUESTION	RESPONSE
	Emergency Measures Regulations, P.C. 2022-0107?	
5.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue the Order in Council: Emergency Economic Measures Order, P.C. 2022-0108?	This statement is correct.
6.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 15, 2022, regarding whether to issue the Order in Council: Emergency Economic Measures Order, P.C. 2022-0108?	This statement is correct.
7.	You were not present before the Governor in Council when any of the hearings on February 14, 2022, and February 15, 2022, referred to in questions [1] through [6] herein took place?	This statement is correct.
8.	You were not present before the Governor in Council when any of the hearings on February 14, 2022 and February 15, 2022 referred to in questions [1] through [6] herein took place?	This statement is correct.
9.	You have no knowledge of any of the evidence in your affidavit, including any it's exhibits, being before the Governor in Council when any of the hearings on February 14, 2022 and February 15, 2022 referred to in questions [1] through [6] herein took place?	Yes, I have no knowledge of this.
10.	You are not the author of any of the exhibits attached to your affidavit?	This statement is correct.
11.	You are not the author of any of the news articles exhibited to your affidavit?	This statement is correct.

No.	QUESTION	RESPONSE
12.	You are not the author or creator of the contents of any of the websites of which the links are provided in your affidavit?	This statement is correct.
13.	As part of the work as the assigned paralegal with the Department of Justice to this matter, you have knowledge of the correspondence and records the Applicants' legal counsel in this matter, provided to the Department of Justice?	I do not have knowledge of all of the correspondence and records that the Applicants' legal counsel in this matter have provided to the Department of Justice. I have knowledge of the correspondence and records that have been sent to me or I have been asked to review or have otherwise reviewed in the course of my duties.
14.	On March 29, 2022, the Prime Minister of Canada received by both fax and email a letter from the Applicants' counsel's office attached hereto and marked as Exhibit "1" ?	I have no knowledge of what was received by the Prime Minister on March 29, 2022.
15.	Exhibit 1 of 3 By email, Kathleen Kohlman on behalf of the Attorney General of Canada asked for a copy of the letter sent to the Prime Minister of Canada at Exhibit "1" herein and copy of the letter at Exhibit "1" herein was provided to her for the Department of Justice's file?	There are two questions here. For the first part, yes, that is what Ms Kohlman's e-mail of March 29, 2022 at 9:08am requests. For the second part, I was forwarded a copy of Mr Ector's e-mail to Ms Kohlman of March 29, 2022 at 3:38pm, which attached Mr Miller's letter addressed to the Prime Minister.
16.	The Respondents agree that Exhibit "1" attached hereto can be treated as a full exhibit in the herein proceeding without further [sic] necessity of an affidavit being filed exhibiting same?	No. See Counsel's objection in Annex 1.
17.	As the paralegal with the Department of Justice assigned to this matter, you agree that on May 5, 2022, by email, counsel for the Applicants requested that counsel with the Attorney General of Canada canvas with their <i>"powers that be the decertification of a redacted copy of the Submission to the Governor in Council, February 2022, in English and in French, from the Honourable Marco Mendicino, Minister of Public Safety and Emergency Preparedness so as to permit meaningful judicial review"</i> ?	I agree that I was forwarded an e-mail from Mr. Miller to Mr. Jeff Anderson dated May 4, 2022 (and not May 5, 2022) that contains the quoted statement in this question, amongst many other things.

No.	QUESTION	RESPONSE
18.	As the paralegal with the Department of Justice assigned to this matter, can you confirm if counsel with the Attorney General of Canada did canvas the request immediately above made on May 5, 2022, and what the result of that request was?	No, I cannot confirm this because I have no knowledge of it.
19.	In your affidavit at paragraph 2 in your affidavit your evidence is: “as part of my work as a paralegal, I have reviewed a number of media articles, official releases and statements, and Court materials relating to “Freedom Convoy 2022”. Official releases and statements and a selection of media articles from a broad spectrum of news sources are provided below in chronological order to assist with background context in these proceedings. This scan is not intended to be exhaustive or representative of the entire collection of media and statements available, but to lay out a chronology of developments reported in the news media and statements made by public officials and various implicated organizations”?	The quotation is correct, with the following sentence completing that paragraph: “Court documents from other “Freedom Convoy” court proceedings are provided at the end of my affidavit.”
20.	Undertaking 1 of 4 Will you undertake to produce all media articles you reviewed that are not exhibited or referred to in your affidavit?	Subject to counsel’s objection set out in Annex 1, my answer is: I reviewed hundreds of media articles that were publicly available and I cannot recall each and every one of them.
21.	Undertaking 2 of 4 Will you undertake to produce all official releases you reviewed that were not exhibited or referred to in your affidavit?	Subject to counsel’s objection set out in Annex 1, my answer is: I do not recall reviewing any additional releases, publicly available or otherwise.
22.	Undertaking 3 of 4 Will you undertake to produce all official statements you reviewed that were not exhibited or referred to in your affidavit?	Subject to counsel’s objection set out in Annex 1, my answer is: I do not recall reviewing any additional statements, publicly available or otherwise.

No.	QUESTION	RESPONSE
23.	Undertaking 4 of 4 Will you undertake to produce all Court records you reviewed that were not exhibited or referred to in your affidavit?	Subject to counsel's objection set out in Annex 1, my answer is: Apart from the court records in the Federal Court files T-306-22, T-316-22, T-347-22 and T-382-22, I only reviewed the documents attached to my affidavit as Exhibits RRRRR and Exhibit SSSSS in the <i>Li. v Barber</i> action, and Exhibit XXXXX in the <i>City of Ottawa v Persons Unknown</i> matter. I did not review any other court records.
24.	Counsel with the Attorney General of Canada instructed you which media articles to exhibit and refer to in your affidavit?	No, counsel with the Attorney General of Canada did not instruct me on which media articles to exhibit and refer to in my affidavit.
25.	Counsel with the Attorney General of Canada instructed you which official releases to exhibit and refer to in your affidavit?	No, counsel with the Attorney General of Canada did not instruct me which official releases to exhibit and refer to in my affidavit.
26.	Counsel with the Attorney General of Canada instructed you which official statements to exhibit and refer to in your affidavit?	No, counsel with the Attorney General of Canada did not instruct me which official statements to exhibit and refer to in my affidavit.
27.	How did you personally decide which of the exhibits to your affidavit would be provided and summarized in your affidavit for the purpose of assisting with background context in these proceedings?	I relied on my knowledge of key developments in the Convoy Protests and cross-referenced with Google searches and a Wikipedia page entitled " <u>Timeline of the Canadian Convoy Protests</u> ," which contained 105 footnotes with links to articles and releases to assist with my search for relevant articles and releases. My goal was to try to obtain a balance of reporting to cover off the key issues from a variety of established news sources and through statements made by public officials and various implicated organizations. Please note that I did not "summarize" the contents of any exhibits in my affidavit; I typically provided the date, title and URL only.

No.	QUESTION	RESPONSE
28.	What was the process used by you to decide which of the exhibits to your affidavit would be provided and summarized in your affidavit for the purpose for assisting with background context in these proceedings?	The answer is the same as for question 27. As mentioned in Question 27, I did not “summarize” the contents of any exhibits in my affidavit; I typically provided the date, title and URL only.
29.	Who did you consult with to decide which of the exhibits to your affidavit would be provided and summarized in your affidavit for the purpose of assisting with background context in these proceedings?	I did not consult with anyone to decide which exhibits to attach to my affidavit. I made this decision myself. As mentioned in Question 27, I did not “summarize” the contents of any exhibits in my affidavit; I typically provided the date, title and URL only.
30.	As the paralegal with the Department of Justice assigned to this matter, you have access to the Written Examinations served by the Applicants for Steven Shragge and Denis Beaudoin in the Department of Justice/Attorney General of Canada’s file of this matter?	Yes, I have access to the Written Examinations served by the Applicants for Steven Shragge and Denis Beaudoin, but I have not reviewed these Examinations in detail.
31.	You agree that that the Government of Canada’s “Federal Terrorism Response Plan: Domestic Concept of Operation” at Exhibit 1 of the Written Examinations served by the Applicants for Steven Shragge is an official release and statement of the Government of Canada?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I have no knowledge of the contents of this document.
32.	Exhibit 2 of 3 The Respondents agree that the Government of Canada’s “Federal Terrorism Response Plan: Domestic Concept of Operation” referred to in and at Exhibit 1 of the Written Examinations served by the Applicants for Steven Shragge can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	No. See Counsel’s objection in Annex 1.
33.	You agree the Integrated Terrorism Assessment Centre (hereinafter referred to as “ITAC”) referred to in the Written Examinations served by the Applicants for Steven Shragge are officials that give official releases and statements?	I do not know if ITAC are officials that give official releases and statements.

No.	QUESTION	RESPONSE
34.	The January 27, 2022 ITAC document titled “Threat Highlight” and numbered as TH 22/08-A // 2022-01017 (hereinafter “Threat Highlight Jan 27”) referred to in the Written Examinations served by the Applicants for Steven Shragge is an official release or statement of ITAC?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I have no knowledge of the contents of this document.
35.	The February 8, 2022 ITAC document titled “Threat Highlight” and numbered as TH 22/11-E // 2022-02-08 (hereinafter “Threat Highlight Feb 8”) referred to in the Written Examinations served by the Applicants for Steven Shragge is an official release or statement of ITAC?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I have no knowledge of the contents of this document.
36.	Exhibit 3 of 3 The Respondents agree that the excerpts from the Threat Highlight Jan 27 and the Threat Highlight Feb 8 at Exhibit 2 of the Written Examinations served by the Applicants for Steven Shragge are excerpts of official releases and statements of ITAC and can be a full exhibit in the herein proceedings without the necessity of them being exhibited to a further affidavit?	No. See Counsel’s objection in Annex 1.
37.	The Threat Highlight Jan 27 and the Threat Highlight Feb 8 would assist with background context in these proceedings, correct?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I have no knowledge of the contents of these documents.
38.	Official releases, documents and statements relating to the “Freedom Convoy 2022” from ITAC would assist with background context in these proceedings, correct?	I do not recall seeing any official releases, documents or statements from ITAC relating to the “Freedom Convoy 2022” that would be publicly available and have no knowledge of any such documents to answer this question.
39.	You agree that the Canadian Security Intelligence Service (hereinafter referred to as “CSIS”) referred to in the Written Examinations served by the Applicants for Steven Shragge are officials that give official releases and statements?	I do not know if CSIS are officials that give official releases and statements.

No.	QUESTION	RESPONSE
40.	You agree that p.13 of the CSIS Public Report 2019 giving a definition of “Ideologically motivated violent extremism” (“IMVE”), an example of IMVE, and four categories of IMVE as referred to in the Written Examinations served by the Applicants for Steven Shragge are official releases or statements of CSIS?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I have no knowledge of the contents of this document.
41.	Official statements, documents and releases of CSIS relating to the “Freedom Convoy 2022” would assist with background context in these proceedings, correct?	I do not recall seeing any official releases, documents or statements from CSIS relating to the “Freedom Convoy 2022” that would be publicly available and have no knowledge of any such documents to answer this question.
42.	You agree the third-party sources hyperlinks at paragraph 63 to 74 in the Written Examinations served by the Applicants for Denis Beaudoin include a selection of media articles from a broad spectrum of news sources?	Subject to counsel’s objection as outlined in Annex 1 my answer is: I would disagree that the links provided in paragraphs 63-74 include a selection of media articles from a broad spectrum of news sources for the following reasons: (a) Paragraphs 63, 65, 67 and 69 all link to the same Global News article. (b) Paragraph 71 includes a link to a Wikipedia page, which contains footnotes to hundreds of different articles, but no citation to any specific article. (c) Paragraph 73 contains a hyperlink that does not work (d) Paragraph 74 includes a link to a CBC article. As such, the above-noted seven paragraphs – which are the only paragraphs with hyperlinks – only cite two media articles from two news sources. This is not a selection of media articles “from a broad spectrum of news sources.” It is a very limited selection.

No.	QUESTION	RESPONSE
43.	You agree the third-party sources hyperlinks at paragraph 63 to 74 in the Written Examinations served by the Applicants for Denis Beaudoin include a selection of media articles from news sources?	Subject to counsel's objection as outlined in Annex 1 my answer is: The answer is the same as for question 42.

ANNEX 1

**OBJECTIONS TO WRITTEN EXAMINATION QUESTIONS
OF REBECCA COLEMAN**

No.	QUESTION	OBJECTION
1.	You did not give evidence or submissions to the Governor in Council when the hearing before the Governor in Council was taking place on February 14, 2022, regarding whether to issue a Proclamation Declaring that a Public Order Emergency exists throughout Canada, P.C. 2022-0106?	The AGC objects to the question as well as the ones following (questions 2-9) in so far as it (they) incorrectly characterizes the decision-making process of the GIC in this matter as a “Hearing”. The GIC decision-making process is a private and confidential one. The GIC does not hold hearings.
16.	The Respondents agree that Exhibit “1” attached hereto can be treated as a full exhibit in the herein proceeding without furth [sic] necessity of an affidavit being filed exhibiting same?	Ms. Coleman is an affiant, not a party to this application, and this is not a discovery; cross-examination is not the place to tender affirmative evidence in the guise of exhibits; this is also not relevant in any event.
20.	Undertaking 1 of 4 Will you undertake to produce all media articles you reviewed that are not exhibited or referred to in your affidavit?	There is no requirement to give undertakings on a cross-examination on an affidavit.
21.	Undertaking 2 of 4 Will you undertake to produce all official releases you reviewed that were not exhibited or referred to in your affidavit?	There is no requirement to give undertakings on a cross-examination on an affidavit.
22.	Undertaking 3 of 4 Will you undertake to produce all official statements you reviewed that were not exhibited or referred to in your affidavit?	There is no requirement to give undertakings on a cross-examination on an affidavit.
23.	Undertaking 4 of 4 Will you undertake to produce all Court records you reviewed that were not exhibited or referred to in your affidavit?	There is no requirement to give undertakings on a cross-examination on an affidavit.

No.	QUESTION	OBJECTION
31.	You agree that that the Government of Canada's "Federal Terrorism Response Plan: Domestic Concept of Operation" at Exhibit 1 of the Written Examinations served by the Applicants for Steven Shragge is an official release and statement of the Government of Canada?	See the objection at question 32 below. The respondents have objected to this report's admission in Mr Shragge's written cross-examination and object to its admission (and questioning based on it) in this cross-examination; it is also not relevant.
32.	Exhibit 2 of 3 The Respondents agree that the Government of Canada's "Federal Terrorism Response Plan: Domestic Concept of Operation" referred to in and at Exhibit 1 of the Written Examinations served by the Applicants for Steven Shragge can be a full exhibit in the herein proceedings without the necessity of it being exhibited to a further affidavit?	Ms. Coleman is an affiant, not a party to this application, and this is not discovery; cross-examination is not the place to tender affirmative evidence in the guise of exhibits; this is not relevant in any event.
34.	The January 27, 2022 ITAC document titled "Threat Highlight" and numbered as TH 22/08-A // 2022-01017 (hereinafter "Threat Highlight Jan 27") referred to in the Written Examinations served by the Applicants for Steven Shragge is an official release or statement of ITAC?	See the objection at question 36 below.
35.	The February 8, 2022 ITAC document titled "Threat Highlight" and numbered as TH 22/11-E // 2022-02-08 (hereafter "Threat Highlight Feb 8") referred to in the Written Examinations served by the Applicants for Steven Shragge is an official release or statement of ITAC?	See the objection at question 36 below.
36.	Exhibit 3 of 3 The Respondents agree that the excerpts from the Threat Highlight Jan 27 and the Threat Highlight Feb 8 at Exhibit 2 of the Written Examinations served by the Applicants for Steven Shragge are excerpts of official releases and statements of ITAC and can be a full exhibit in the herein proceedings without the necessity of them being exhibited to a further affidavit?	Ms. Coleman is an affiant, not a party to this application, and this is not a discovery; cross-examination is not the place to tender affirmative evidence in the guise of exhibits (or ask questions about such reports). The full reports have been provided as Exhibits B and C to Mr Shragge's affidavit responding to his written cross-examination.
37.	The Threat Highlight Jan 27 and the Threat Highlight Feb 8 would assist with background context in these proceedings, correct?	See the objection at question 36 above.

No.	QUESTION	OBJECTION
40.	You agree that p.13 of the CSIS Public Report 2019 giving a definition of “Ideologically motivated violent extremism” (“IMVE”), an example of IMVE, and four categories of IMVE as referred to in the Written Examinations served by the Applicants for Steven Shragge are official releases or statements of CSIS?	This is not a discovery; cross-examination is not the place to tender affirmative evidence in the guise of exhibits (or ask questions about such a report without even attempting to tender it). The respondents object to questions based on this report.
42.	You agree the third-party sources hyperlinks at paragraph 63 to 74 in the Written Examinations served by the Applicants for Denis Beaudoin include a selection of media articles from a broad spectrum of news sources?	The respondents have objected to questions based on these hyperlinks in Mr Beaudoin’s written cross-examination (based on relevance) and objects to further questions here based on the earlier objections. This is not relevant.
43.	You agree the third-party sources hyperlinks at paragraph 63 to 74 in the Written Examinations served by the Applicants for Denis Beaudoin include a selection of media articles from news sources?	See the objection above at question 42. This is not relevant.